

Plaintiff's motion. Defendants complain that had Plaintiff simply contacted their counsel to check on the status of the title transfer, Plaintiff would have had no need to file its motion for a preliminary injunction.

Because the transfer of title to the real estate is complete, Plaintiff's motion for a preliminary injunction will be denied. Defendants' request for attorneys' fees will also be denied. Defendants have had ample time to complete the real estate transfer, but have only recently done so. Plaintiff should not have been expected to contact opposing counsel regarding this matter, particularly given Defendants' lack of responsiveness in the past.

Accordingly,

IT IS ORDERED that Plaintiff's motion for a preliminary injunction ([filing 117](#)) is denied. Defendants' objection ([filing 124](#)) and request for attorneys' fees is likewise denied.

DATED October 23, 2012.

BY THE COURT:

**S/ F.A. Gossett
United States Magistrate Judge**